

REMARKS

Claims 1-5 are pending in the application. The amendments to the claims have been made to refer to a case housing an assembly for generating torque in a car start motor, and to indicate that the outer and inner holes of the case are made simultaneously. Implied support for "solid, unflanged" finds support in Fig3, which shows such a device. Otherwise, support for the amendments to the claims can be found in claims 6 and 7, and page 4, lines 1-3 and at least on page 2 of the specification as filed. No new matter has been introduced, and entry of the revised claims is respectfully requested.

Alleged Rejection under 35 U.S.C. § 102(b)

Claims 1-7 have been rejected as anticipated by Willy Voit GMBH & Co., EP 0 446 866 (hereinafter, "Willy Voit"). Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

The "fixed hole (3a)" and through hole (2a)" of the presently claimed invention is said to correspond to the "grooves (3)" and "holes (2)" of EP 0 446 866. However, Applicant submits that the location, quantities and type of fixed holes (3a) and the construction of outer tube (3) differ from the cited reference. Figure 6 of Willy Voit shows a split sleeve **5** with a gap **6** in the wall of the sleeve that runs parallel to the axis of the sleeve. Applicant notes that the case of the presently claimed invention affords a higher degree of strength as compared to the device disclosed in Willy Voit because the outer sleeve disclosed in Willy Voit is not solid. In addition, the use of a solid outer tube in the present invention, as compared to the use of a split sleeve in Willy Voit, permits a closer force fit with the inner tube, which results in increased retention, strength and stability in the present invention. Therefore, Willy Voit fails to anticipate the presently claimed invention.

In addition, Applicant notes the Examiner's comment that in "product by process" claims, the process is given little weight. However, Applicants submits that in the present application, the fact that the presently claimed invention is directed to making the holes in the outer and inner tubes simultaneously provides a casing that is made in a more secure and reliable way. Therefore the resultant inventive case is more tight fitting with pressurized fit between the

inner tube and outer tube. Therefore, Willy Voit fails to anticipate the presently claimed invention.

Conclusion

It is believed that the application is now in condition for allowance. Applicants request the Examiner to issue a notice of Allowance in due course. The Examiner is encouraged to contact the undersigned to further the prosecution of the present invention.

The Commissioner is authorized to charge JHK Law's Deposit Account No. **502486** for any fees required under 37 CFR §§ 1.16 and 1.17 and to credit any overpayment to said Deposit Account No. **502486**.

Respectfully submitted,

JHK Law

Dated: September 21, 2009

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